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Mason Law, P.L.
17757 U.S. Hwy. 19 North
Mangrove Bay, Suite 500
Clearwater, FL 33764E-mail: mason@masonlaw.bizFAX COVERSHEET

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TO: USPTO
ATTN: Legal Instruments Examiner
Freda Nelson

DATE: June 18, 2004

OFFICIAL

Art Unit: 1753

TOTAL # OF PAGES: 21 (includes cover page)

FAX #: 703.872.9306 (11805)

FROM: Luann McCormick, Paralegal

OUR FILE: 3293.023

SUBJECT: U.S. Patent Application Serial No.: 10/020,091
Date Filed: 12/14/2001
Title: APPARATUS TO INCREASE DENSITY AND ENERGY OF
HYDROGEN, OXYGEN AND OTHER GASES

XXX Confirmation copy not sent
Confirmation copy sent

DOCUMENT(S) ATTACHED: 1. Copy of Notice of Non-Compliance Amendment mailed June 15, 2004
2. Re-submitted corrected sections (pages 3 - 20 of applicant's communication filed May 26, 2004)


COMMENTS: The undersigned thanks the Examiner for expeditiously resolving this matter.

It is understood that the Abstract submission is satisfactory, and that the changes made in the attached are also satisfactory.

Please enter the Amendment and forward it to the Examiner expeditiously.

Please charge any fees or credits to Deposit Account No.: 13-1992.

Sincerely,



Dennis G. LaPointe
Reg. No.: 40,693

DGL/lm
Enclosures

The information contained in this transmittal is Attorney privileged and confidential, and is intended ONLY for the use of the Individual or Entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmittal in error, please immediately notify us by e-mail at the address stated above and destroy the communication. Please e-mail us if you have any questions. Please call (727) 538-3800 if you do not receive the total number of pages referenced above.

JUN 18 2004

3293.023

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,091	12/14/2001	Ruggiero Maria Santilli	3293.023	9972

24040 7590 06/15/2004

MASON LAW, PL
17757 US HWY 19 N.
CLEARWATER, FL 33764

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EXAMINER

MAYEKAR, KISHOR

ART UNIT

PAPER NUMBER

1753

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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BY:

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5/26/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other Submit amended paragraphs and section headings only.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claims 1-4, 10, 33-36, 42, 56 and 59 are previously presented.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Arda Nelson
Legal Instruments Examiner (LIE)

571-272-1035
Telephone No.

Rcv. 10/03